

# Notice of Allowability

Application No.

09/781,255

Examiner

Gary C. Vieaux

Applicant(s)

KAWABE, TAKESHI

Art Unit

2612

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/10/2004.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☐ The drawings filed on 13 February 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20041203.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20041203.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
**AUNG MOE**  
PRIMARY EXAMINER

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anne M. Maher, attorney for applicant, on December 3, 2004.

***In the Claims***

Applicant's election with traverse in the reply filed on September 10, 2004 is acknowledged.

**Claims 18, 25 and 32** are generic and allowable. Accordingly, the restriction requirement as to the encompassed species is hereby withdrawn and claims 5, 13, 19-24, 26-31, directed to the species of I-V are no longer withdrawn from consideration since all of the claims to this species depend from or otherwise include each of the limitations of an allowed generic claim.

In view of the above noted withdrawal of the restriction requirement as to the linked species, applicant(s) are advised that if any claim(s) depending from or including all the limitations of the allowable generic linking claim(s) be presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once a restriction requirement is withdrawn, the

Art Unit: 2612

provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

***In the Specification***

5           The Title was found to be not clearly indicative of the invention to which the claims are directed. The title will be amended to become "Image Sensing Apparatus, method, memory involving differential compression of display region based on zoom operation or speed".

***In the Drawings***

10           Figure 7 of the Drawings was found to contain a minor informality in which the second LSB of the +13 indicia is represented as a "1" instead of a "0", it is noted that +13 is correctly represented in the corresponding bit plane. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the

15   Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended.

The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be

20   removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining

Art Unit: 2612

figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office

5 action. The objection to the drawings will not be held in abeyance.

***Allowable Subject Matter***

**Claims 1-32** are allowed.

Regarding claims 1-17, the prior art does not teach of fairly suggest

10 compressing a designated region of interest and a non-designated region using different characteristics, with respect to a detected zoom speed.

Regarding claims 18-32, the prior art does not teach of fairly suggest

compressing a designated region of interest and a non-designated region using different characteristics, where the designated region is controlled on the basis of

15 a zoom operation.

As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

This application is in condition for allowance except for the following

20 formal matters:

Correction of the drawings to as discussed supra.

Art Unit: 2612

***Change of Examiner***

The prosecution of this application has been transferred to Examiner Gary C. Vieaux from the docket of Examiner Jeremy R. Elder. Any  
5 inquiry concerning this or earlier communications should be directed to the current Examiner of record. Current contact information is provided in the last section of this communication.

***Conclusion***

10 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ohiwa (US #5,699,113) discloses changing an image compression ratio in synchronization with the zooming operation of a camera.

Nakayama et al. (6,567,562) discloses discrete wavelet transformation.

15 Suzuki et al. (US #5,619,265) discloses compression ratios based on the aperture value or a brightness measurement.

Glatt (US #5,926,209) discloses video compression in response to camera adjustment.

20 ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Vieaux whose telephone number is 703-305-9573. The examiner can normally be reached on Monday - Friday, 8:00am - 4:00pm.


Art Unit: 2612

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

- 5 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
- 10

Gary C. Vieaux  
Examiner  
Art Unit 2612

15 Gcv2



**AUNG MOE**  
**PRIMARY EXAMINER**